

Response to EPA Notice of Incomplete Application for Compliance Extension

Sent VIA email

Ms. Martha Segall

Acting Director

Monitoring, Assistance, and Media Programs Division

Office of Compliance, U.S. Environmental Protection Agency

Re: Request for Additional Information Regarding Compliance Extension Request Pursuant to 40 C.F.R. § 63.6(i)(4)(i)(A).

Dear Ms. Segall:

Thank you for your letter dated September 27, 2018, which Ironrock Capital Inc. received on October 1, 2018, regarding our application for a one-year extension until December 26, 2019, of the December 26, 2018 compliance date pursuant to 40 C.F.R. § 63.6(i)(4)(i)(A), for the National Emission Standards for Hazardous Air Pollutants for Brick and Structure Clay Products Manufacturing (Brick MACT), at 40 C.F.R. Part 63, Subpart JJJJJ. Your letter requested additional information in order to complete our application for compliance extension originally submitted on August 24, 2018, pursuant to 40 C.F.R. § 63.6(i)(6)(i). We appreciate the opportunity to provide additional information with respect to our application for extension of the compliance date.

At the outset, we note that your letter stated that the requested information needed to be provided in a written submission within 15 days after being notified of that our application for compliance date extension was incomplete, citing 40 C.F.R. § 63.6(i)(13)(ii). That provision applies to compliance date extension applications submitted under 40 C.F.R. § 63.6(i)(4)(ii), which applies to a different set of circumstances than applicable here. Ironrock Capital applied for a compliance date extension pursuant to 40 C.F.R. § 63.6(i)(4)(i)(A). Section 63.6(i)(12)(ii) governs the notification of an owner or operator regarding an incomplete application under 40 C.F.R. § 63.6(i)(4)(i), and provides that EPA “will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.” EPA confirmed *via* email correspondence between Ms. Sara Ayres and counsel for the Brick Industry Association, that the intended reference in EPA’s letter was 40 CFR §63.6(i)(12)(ii) and that the deadline for submittal is 30 days after receipt of EPA’s letter, according to the provisions discussed above. EPA also indicated that revised letters did not need to be sent and that companies could rely on the email exchange between Ms. Broome and Ms. Ayres. This response is timely because it is submitted within 30 days of receipt of EPA’s request for further information. We want to emphasize that if EPA has more questions on the application, even after reviewing the information we are now providing, we are willing to provide what is needed to process the application and we request that you contact us for such information.

Accordingly, Ironrock Capital Inc. is providing the following information to supplement our application for compliance extension and enable further processing, as requested in EPA's letter.

- Due to poor business conditions, Ironrock has not had an opportunity to stack test our kilns at a throughput capacity sufficient to yield numerical results that could be used to amend our Title V permit to that of a minor source. A stack test is now scheduled for November 8, 2018. Based on previous stack testing done in 2015 and an annualized product throughput fired tonnage of 75,000 tons per year, we predict that our site can be below a HF 10/25 tons per year (tpy) major source threshold. The 2015 stack test was for total F and not HF and therefore we are seeking further confirmation of the emissions levels relative to the 10/25 tpy major source thresholds, necessitating the stack test scheduled for November 8, 2018. Although we did not test for HCl in the 2015 stack test, mass balance results of the raw materials used at this site predict HCl emissions to be negligible or zero. Additionally, Ironrock has decommissioned and removed 1 of the 4 kilns and has amended its Title V permit to remove the emissions unit, the effect of which is to further reduce product throughput and HAP emissions.
- Upon completion of stack testing, Ironrock will apply for a Title V permit modification to include HAP emissions limits below the major source thresholds.
- A detailed compliance schedule, is as follows:
 1. Receive and review stack test data by December 31, 2018.
 2. Submit Title V permit modification by January 15, 2019.
 3. Receipt of revised Title V permit can be expected no later than December 26, 2019, and hopefully sooner.
 4. Achieve final compliance as an area source upon compliance date in area source permit or by December 26, 2019, whichever is earlier.

Please let us know if EPA has any questions with respect to the foregoing information or our application for compliance date extension. We appreciate EPA's consideration and would be happy to provide additional information to EPA, upon request.

Sincerely,



Guy Renkert-President/CEO

Date Oct. 24, 2018

cc: Sara Ayres, ayres.sara@epa.gov